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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$25,474, and \$1,105 in
15 U.S. CURRENCY,

16 Defendants.

2:05-cv-00579-KJM-DB

FINAL JUDGMENT OF FORFEITURE

17 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

18 1. This is a civil forfeiture action against Approximately \$25,474 and \$1,105 in U.S.
19 Currency (hereafter “defendant currency”) seized on or about September 28, 2004.

20 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on March 24, 2005,
21 alleging that said defendant currency is subject to forfeiture to the United States pursuant to 21 U.S.C. §
22 881(a)(6).

23 3. On or about March 24, 2005, Judge Kimberly J. Mueller issued a Warrant and Summons
24 for Arrest for the defendant currency, and that warrant was executed on March 31, 2005.

25 4. On April 22, 2005, a Notice of Arrest and Seizure of the defendant currency appeared by
26 publication in the *Willows Journal*, a newspaper of general circulation in the county in which the
27 defendant currency was seized (Glenn County). The Proof of Publication was filed with the Court on
28 May 19, 2005.

1 5. In addition to Public Notice of Arrest and Seizure, actual notice or attempted notice was
2 given to the following individuals:

3 a. Jesus J. Gonzalez Rodriguez

4 b. Ana Marie Rodriguez¹

5 6. Jesus Rodriguez (“claimant”) filed a Claim on May 11, 2005 and an Answer to
6 Complaint on July 30, 2010. A Stay was entered on June 8, 2005, staying the case pending the
7 resolution of the related criminal case, United States v. Jesus Rodriguez, 2:04-CR-00387-MCE and
8 related appeal.

9 7. The Clerk of the Court entered a Clerk’s Certificate of Entry of Default against Ana
10 Marie Rodriguez on August 22, 2016. Pursuant to Local Rule 540, the United States and claimant
11 request that, as a part of this Final Judgment of Forfeiture, the Court enter a default judgment against the
12 interest, if any, of Ana Marie Rodriguez without further notice.

13 8. No other parties have filed claims or answers in this matter, and the time in which any
14 person or entity may file a claim and answer has expired.

15 Based on the above findings, and the files and records of the Court, it is hereby ORDERED
16 AND ADJUDGED:

17 1. Judgment is hereby entered against claimant Jesus Rodriguez, and all other potential
18 claimants who have not filed claims in this action.

19 2. Upon entry of this Final Judgment of Forfeiture, \$15,474.00 of the Approximately
20 \$25,474.00 in U.S. Currency and Approximately \$1,105.00 in U.S. Currency, together with any
21 interest that may have accrued on the total amounts seized, shall be forfeited to the United States
22 pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

23 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,
24 \$10,000.00 of the Approximately \$25,474.00 in U.S. Currency shall be returned to claimant Jesus
25 Rodriguez through his attorney John Balazs.

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28 ¹ Attorney Bruce Locke stated that he represented both Jesus Rodriguez and Ana Rodriguez. Mr. Locke accepted service on behalf of both of them.


4. The United States and its servants, agents, and employees and all other public entities, their servants, agents, and employees, are released from any and all liability arising out of or in any way connected with the seizure or forfeiture of the defendant currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure or forfeiture, as well as to those now known or disclosed. Claimant waived the provisions of California Civil Code § 1542.

5. All parties are to bear their own costs and attorneys' fees.

6. The U.S. District Court for the Eastern District of California, Hon. Kimberly J. Mueller, District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

7. Based upon the allegations set forth in the Complaint filed March 24, 2005, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the defendant currency, and for the commencement and prosecution of this forfeiture action.

SO ORDERED THIS 24th day of August, 2016.


UNITED STATES DISTRICT JUDGE